

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

* * * *

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALEXANDER SMIRNOV,

Defendant,

CASE NO. 2:24-CR-00091-ODW

[PROPOSED] ORDER

The Court has read and considered Defendant's Second *Ex Parte* Motion for (1) Continuance of Trial Date and (2) Findings of Excludable Time Periods Pursuant to Speedy Trial Act, which Defendant filed on November 4, 2024. The Court has also considered the government's opposition.

The Court hereby finds that the *Ex Parte* Motion, which this Court incorporates by reference into this Order, demonstrates facts that support a continuance of the trial date in this matter from December 3, 2024 to April 1, 2025, and provides good cause for a finding of excludable time pursuant to the Speedy Trial Act, 18 U.S.C. § 3161.

The Court further finds that: (i) the ends of justice served by the continuance outweigh the best interest of the public and defendant in a speedy trial; (ii) failure to grant the continuance would be likely to make a continuation of the proceeding impossible, or result in a miscarriage of justice; and (iii) failure to grant the continuance would unreasonably deny defendant continuity of counsel and would deny defense counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

1 Additionally, and for the reasons stated in the *Ex Parte* Motion, the Court finds that certain
2 periods of time should be excluded under 18 U.S.C. § 3161(h)(1), pertaining to the transfer of this
3 case and the transport of the Defendant to this District, as well as the specific factual circumstances
4 presented by this case.

5
6 THEREFORE, FOR GOOD CAUSE SHOWN:

7 1. The trial in this matter is continued from December 3, 2024 to April 1, 2025 at 9:00 a.m.
8 The Court will set a pretrial conference if necessary.

9 2. The time period from December 3, 2024 to April 1, 2025, inclusive, is excluded in
10 computing the time within which the trial must commence, pursuant to 18 U.S.C. §§
11 3161(h)(7)(A), (h)(7)(B)(i), and (B)(iv).

12 3. Nothing in this Order shall preclude a finding that other provisions of the Speedy Trial
13 Act dictate that additional time periods are excluded from the period within which trial must
14 commence. Moreover, the same provisions and/or other provisions of the Speedy Trial Act may
15 in the future authorize the exclusion of additional time periods from the period within which trial
16 must commence.

17
18 4. The Court reopens the deadline for pretrial motions and motions in limine. The parties
19 are to meet and confer to establish new deadlines based upon the April 1, 2025, trial date.

20
21 IT IS SO ORDERED.

22
23 _____
24 DATE

HONORABLE OTIS D. WRIGHT II
UNITED STATES DISTRICT JUDGE